IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V.RAMANA

WRIT PETITION NO : 29747 OF 1997

Between:

1.L.Jayaram Reddy son of L.Lachi Rddy, aged about 44 yrs
r/o Hastinapur south, Rangareddy district.

2.G.Purushotham reddy son of Narsimha Reddy, aged about 40 yrs
r/o H.No.3-6-132/1, Plot No.51,Sairam colony, V.puram
Rangareddy district.

3.S.Ramalingam son of S.Kanalaiah, aged about 45 yrs
R/o H.No.6-6-403,Gandhinagar, Secunderabad

4.Sara Enterprises rep. by its Proprietor
Md.Hasanuddin Ali, aged about 52 yrs,
R/o 16-11-20/1/D,Saleemnagar, Malakpet, Hyderabad.

5.Mohd.Jeelani sonof Mohd.Ghouse, aged about 65 yrs, Clas II
(R & B) Contractor, H.No. 22-2-234, Inside Dabirpura,
Hyderabad

6.Mohd.Ahsanuddin son of Mohd. Hasanuddin Ali, aged about
25 years, Class III (R & B) Contractor, H.No.16-11-20/1/D,
Saleemnagar, Malakpet, Hyderabad.

7.Mohd.Naimutullaha Khan son of Mohd.Rahmatullah Khan,
aged about 59 yrs, Class III (R & B) Contractor,
H.No.`16-8-863,New Malakpet, Hyderabad.

..... PETITIONERS

AND

1.The Engineer-in-Chief, Roads & Buildings
Erramanzil, Hyderabad.

2.The Chief Engineer (Buildings) Roads & Buildings,
Erramanzil, Hyderabad.

3.The Superintending Engineer, Head quarters circle,
Roads & Buildings, Khairtabad, Hyderabad

4.The Commisioner, Municipal Corporation of Hyderabad,
Tank bund, Hyderabad.

5.The Chief Engineer, Municipal Corporation of Hyderabad,
Tankbund, Hyderabad.

6.The Superintending Engineer, Irrigation Department,
Nalgonda, Nalgonda district.

7.The Suprintending Engineer, Panchayat Raj Department
Nalgonda, Nalgonda district.

8.The Superintending Engineer, Electrical Department, APSEB,
Nalgonda, Nalgonda district.

9.The Superintending Engineer, Social Welfare Deparktment,
Nalgonda, Nalgonda district.

(Claim against R3 and R9 dismissed for default as per Court order dt.4-9-2000)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or directions more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in insisting on filing of National Savings Certificate and the clearance certificate under APGST Act along with the application for obtaining Tender Schedules as a compliance relating to the works sought to be awarded in favour of the petitioners, as illegal, unconstitutional and violative of Principles of natural justice and consequently direct the respondents not to insist on the Earnest Money Deposit in the Form of National Savings Certificate and the APGST Clearance certificate..

Counsel for the Petitioner: MR.P.NARAYANA RAO

Counsel for the Respondents: G.P. FOR ROADS & BUILDINGS

The Court made the following:

ORDER

This Writ Petition is filed questioning the action of the respondents in insisting the petitioners to file National Savings Certificate and the clearance certificate under APGST for obtaining Tender Schedules.

This Court in W.P.M.P.No.34757 of 1997, dated 11-11-1997, directed the respondents to receive and consider the Tender Schedules of the petitioners on payment of Earnest money deposit without insisting for APGST clearance certificate.

The learned counsel for the petitioner called absent. The learned Government Pleader for Roads & Buildings submits that the cause in this Writ Petition does not survive and it has become infructuous.

Accordingly, the Writ Petition is dismissed as having become in fructuous. No costs.

31-03-2005.

Hsd

Asst. Registrar

To

1.The Engineer-in-Chief, Roads & Buildings
Erramanzil, Hyderabad.

2.The Chief Engineer (Buildings) Roads & Buildings,
Erramanzil, Hyderabad.

3.The Commisioner, Municipal Corporation of Hyderabad,
Tank bund, Hyderabad.

4.The Chief Engineer, Municipal Corporation of Hyderabad,
Tankbund, Hyderabad.

5.The Superintending Engineer, Irrigation Department,
Nalgonda, Nalgonda district.

6.The Suprintending Engineer, Panchayat Raj Department
Nalgonda, Nalgonda district.

7.The Superintending Engineer, Electrical Department, APSEB,
Nalgonda, Nalgonda district.

8.2 C.Cs to G.P. for R & B HighCourt buildings, Hyderabad (OUT)

9.2 CD copies.